

City of Cincinnati

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Department of Safety
Division of Telecommunications
Office of Cable Communications

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William M. Gustafson
Director of Safety

Paula A. Knecht
Superintendent

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January 26, 1993

Ms. Donna Searcy
Federal Communications Commission
Washington, D.C. 20554

Dear Ms. Searcy:

The enclosed comments are being filed for MM Docket No. 92-263.
These comments are being filed by the city of Cincinnati, Ohio.

Sincerely,

A handwritten signature in cursive script, reading "David A. Chapman".

David A. Chapman
Assistant Superintendent

DAC:kms

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Implementation of Section 8 of)
the Cable Television Consumer)
Protection and Competition Act)
of 1992)

MM Docket No. 92-263

Consumer Protection and Customer)
Service)

TO: The Commission

REPLY COMMENTS OF CITY OF CINCINNATI, OHIO

The city of Cincinnati, Ohio submits these reply comments in the above-captioned proceeding.

The city of Cincinnati, Ohio has reviewed the comments submitted by the National Association of Telecommunications Officers and Advisors, National League of Cities, United States Conference of Mayors, and the National Association of Counties ("Local Governments") submitted in this proceeding. The city of Cincinnati, Ohio believes that the comments filed by Local Governments accurately reflect the city of Cincinnati, Ohio's position on the implementation of Section 8 of the Cable Television Consumer Protection and Competition Act of 1992 (the "1992 Act"). Accordingly, the city of

Cincinnati, Ohio concurs with the comments filed by Local Governments and respectfully requests the Federal Communications Commission ("Commission" or "FCC") to consider carefully these comments.

The city of Cincinnati, Ohio believes that the Commission should adopt a set of specific standards which will ensure adequate customer service throughout the country. The Commission-established standards should be self-executing and should apply to all cable systems as of the date of adoption of the standards by the FCC, without any further action to be taken by franchising authorities.

The general rule that the Commission-established standards will apply to all cable operators should be subject to three exceptions: (i) where a franchising authority determines to waive one or more of the FCC standards in favor of less stringent standards; (ii) where a franchising authority exercises its right to promulgate more stringent standards or standards not addressed by the FCC standards.

Franchising authorities should be primarily responsible for enforcing the Commission-established standards. The Commission, if necessary, could not act as a final arbiter of disputes between franchising authorities and cable operators.

The city of Cincinnati, Ohio believes that the commission should establish comprehensive consumer protection rules. Customer service was a paramount concern of Congress in the passage of the 1992 Act. The legislative history of the 1992 Act is replete with testimony from cable subscribers, consumer groups and franchising authorities documenting customer service problems -- problems that are evident in both large and small systems. Customer service problems prevalent in the city of Cincinnati, Ohio are problems which relate to: poor reception, poor quality equipment, outdated technology, billing, programming, and customer representatives lack of knowledge of their system or unwillingness to provide good customer service to cable subscribers.

The city of Cincinnati, Ohio urges the Commission not to adopt the NCTA standards. While the NCTA standards may provide a useful starting point in crafting a set of customer service standards, they are lacking in two key respects: they are neither stringent nor specific enough, and they do not address issues and areas that should be addressed, such as credits for a failure by the cable operator to keep a service call and credits for a failure by a cable operator to correct an outage or other reception problem promptly.

The city of Cincinnati, Ohio believes that the approach proposed by Local Governments, as filed in their comments, will ensure adequate customer service for cable customers in the city of Cincinnati, Ohio as well as throughout the country, and will not unreasonably burden cable operators.

Respectfully submitted,



David A. Chapman
Assistant Superintendent
City of Cincinnati
Safety Department
Telecommunications Division
1430 Martin Drive
Cincinnati, Ohio 45202